

FILED  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
2003 APR -3 PM 2:50  
CEDAR RAPIDS HDQTRS. OFFICE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION**

BY \_\_\_\_\_

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

vs.

MERCY MEDICAL HOSPITAL, CEDAR  
RAPIDS, IOWA, d/b/a MERCY MEDICAL  
CENTER,

Defendant.

No. C01-140

**VERDICT FORM**

We the jury make the following answers on the questions put to us:

QUESTION 1: On the race discrimination claim of Plaintiff EEOC on behalf of William Bates, we find in favor of (put a check mark on the appropriate line below):

\_\_\_\_\_ Plaintiff EEOC

☒ Defendant Mercy Medical Center

(If you put a check mark on the line in front of "Plaintiff EEOC" proceed to the next question. If you put a check mark on the line in front of "Defendant Mercy Medical Center," do not answer any further questions.)

QUESTION 2: Would Mercy Medical Center have selected Mr. Bates for the position as Director of Environmental Services if he were white and everything else had remained the same?

Answer "yes" or "no."

Answer: \_\_\_\_\_

(If your answer to Question #2 is "yes" proceed to Question #3. If your answer to Question #2 is "no" do not answer any further questions.)

QUESTION 3: State the amount of damages, if any, suffered by William Bates as

a result of Defendant's discrimination against him on the basis of race. If you find no damages were sustained write "none" on the line ~~before~~ <sup>after</sup> the category of damages.

Past Emotional Distress

\$ \_\_\_\_\_

QUESTION 4: Do you find that Mercy Medical Center acted with malice or reckless indifference to William Bates' right not to be discriminated against on the basis of his race?

Answer "yes" or "no."

Answer: \_\_\_\_\_

Dated this 3<sup>rd</sup> day of April, 2003